

## **REMARKS**

New claims 14-16 are added. These claims introduce no impermissible new subject matter.

Therefore, claims 1-16 are the claims currently pending in the Application. Claims 1 and 2 are amended to clarify features recited thereby. No estoppel is believed to be created.

The Examiner is respectfully requested to acknowledge the claim for foreign priority and the receipt of the priority document.

### ***Rejection of Claim 1 under 35 U.S.C. § 112, Second Paragraph***

Claim 1 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. This rejection is traversed. Claim 1 is amended and is now believed to be allowable.

### ***Rejection of Claims 1 and 2 under 35 U.S.C. § 103***

Claims 1 and 2 are rejected under 35 U.S.C. § 103, as being obvious from Williams et al., U.S. Patent No. 6,415,289, in view of Hasegawa et al, U. S. Patent No. 6,370,587. This rejection is traversed.

For at least the following reasons, Applicant's claimed invention is neither anticipated by, nor rendered obvious from, the cited references. By way of example, independent claim 1 requires, *inter alia*, a network monitoring unit for monitoring a change in an apparatus connection state to the network.

Williams discloses a network information control method utilizing a common command format and a centralized storage management system in which

information about content information stored on the network is indexed and stored in a database server (Williams, Abstract). In particular, Williams discloses that a database server 1196 maintains identifying information about content information stored by devices on the network; that the server returns the “index” (a listing of the content information stored elsewhere on the network) to a client requesting listing information about information stored on the network; that the client may then request the information from the database on the network that stores the content information (Williams, col. 6, lines 21-65); and, that the database server may issue a network command instructing the appropriate storage device to deliver the requested information to the client (Williams, col. 7, lines 21-23).

Williams does not disclose or suggest a network monitoring unit for monitoring a change in an apparatus connection state to the network. The Examiner acknowledges that Williams does not disclose this feature (Paper No. 5, page 4). However, the Examiner alleges that Hasegawa discloses this feature and cites Hasegawa, col. 14, line 50-67 in support of this allegation.

Hasegawa discloses a network interconnection device that connects at least two types of networks of different protocols (Hasegawa, Abstract). Hasegawa discloses that the network interconnection device determines the possibility that other network interconnection devices can participate in communication and informs other interconnection devices of an updated connection state (Hasegawa, col. 4, lines 46-58).

Hasegawa does not disclose or suggest a network monitoring unit for monitoring a change in an apparatus connection state to the network. As discussed, the network interconnection device of Hasegawa connects two networks using different

network protocols. However, Hasegawa does not disclose or suggest a change in an apparatus connection state to the network, as *inter alia*, required by independent claim 1. Therefore, Williams and Hasegawa, even taken together in combination, do not disclose or suggest the recitations of independent claim 1.

Moreover, Applicant respectfully submits that there would have been no motivation for combining Hasegawa and Williams to arrive at Applicant's claimed invention. The Examiner alleges that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Williams with Hasegawa "to improve the storage management system by monitoring the storage devices of the system for connections as well as to enable network nodes to receive messages" (Paper No. 5, page 5, *citing* Hasegawa col. 1, line 65-col. 2, line 1). Further, the Examiner alleges that Williams provides motivation for combining Williams and Hasegawa "by stating requirement to poll the storage devices to retrieve information" (Paper No. 5, page 5, *citing* Hasegawa, col. 4, lines 35-45).

The passage of Hasegawa cited by the Examiner that allegedly would have provided motivation (Hasegawa col. 1, line 65-col. 2 line 1) discloses a problem of passing a message between two networks using different network protocols, such that the message reaches the destination node of the second network. However, there is no teaching that would have motivated for combining Hasegawa's network interconnection device for connecting two different types of networks with Williams' control method for storing indexing information in a server for content information stored on network databases. It is respectfully submitted that the problem of passing a message between

networks using different network protocols disclosed in Hasegawa would have not have led a person of ordinary skill in the art to combine Hasegawa with Williams.

Further, even if motivation for combining Hasegawa and William had existed, the proposed combination would not have resulted in a solution provided by Applicant's invention. That is, without impermissible hindsight reconstruction, the proposed combination would not have achieved the network monitoring unit for monitoring a change in an apparatus connection state to the network, as *inter alia*, required by independent claim 1. Therefore, it is respectfully submitted that Applicant's invention as claimed in independent claim 1 would not have been obvious to a person of ordinary skill in the art based on Hasegawa and Williams.

Claim 2 depends from independent claim 1, and thus incorporates the novel and nonobvious features thereof. Therefore, claim 2 is patentably distinguishable over the prior art for at least the reasons that independent claim 1 is patentably distinguishable over the prior art.

***Rejection of Claims 3-12 under 35 U.S.C. § 103***

Claims 3-12 are rejected under 35 U.S.C. § 103, as being obvious from Williams and Hasegawa in view of Takahashi et al., U.S. Patent Application Publication No. 2002/0035620. This rejection is traversed.

Claims 3-12 depend from independent claim 1, and thus incorporate the novel and nonobvious features thereof. Takahashi does not remedy the deficiencies of Williams and Hasegawa as they relate to Applicant's invention as claimed in independent claim 1.

Takahashi discloses a control apparatus that reads control information stored in peripheral devices and controls the peripheral devices. In particular, Takahashi does not disclose or suggest a network monitoring unit for monitoring a change in an apparatus connection state to the network, as *inter alia* required by independent claim 1.

Therefore, Takahashi, Hasegawa and Williams, even taken together in combination as a whole, do not disclose or suggest the recitations of independent claim 1. Accordingly, claims 3-12 are patentably distinguishable over prior the art for at least the reasons that independent claim 1 is patentably distinguishable over the prior art.

***Rejection of Claim 13 under 35 U.S.C. § 103***

Claim 13 is rejected under 35 U.S.C. § 103, as being obvious from Williams, Hasegawa and the Official Notice taken by the Examiner. This rejection is traversed.

The Examiner states that “database administration” in a computer networking environment was well known in the art at the time the invention was made.

Since claim 13 depends from independent claim 1, it incorporates the novel and nonobvious features thereof. The Official Notice taken by the Examiner does not remedy the deficiencies of Williams and Hasegawa as they relate to Applicant’s invention as claimed in independent claim 1. Therefore claim 13 is patentably distinguishable over the prior art for at least the reasons that independent claim 1 is patentably distinguishable over the prior art.

For at least the reasons set forth in the foregoing discussion, Applicant believes that the Application is now allowable, and respectfully requests that the

For at least the reasons set forth in the foregoing discussion, Applicant believes that the Application is now allowable, and respectfully requests that the Examiner reconsider the rejections and allow the Application. Should the Examiner have any questions regarding this Amendment or the Application generally, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,



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